

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA *ex rel.*
CHRISTOPHER LESHER,

Plaintiff,

v.

OPKO HEALTH, INC., BIO-REFERENCE
LABORATORIES, AND THE WOMEN'S
HEALTH LABORATORY AT GENPATH
DIAGNOSTICS,

Defendants.

18 Civ. 1812 (JMF)

FILED UNDER SEAL

ORDER

The United States of America (the "Government") having decided not to intervene at this time pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), with respect to the claims raised in the above-captioned *qui tam* action;

IT IS ORDERED THAT:

1. The complaint shall be unsealed thirty days after entry of this Order and, in the event that the relator has not moved to dismiss the action, service upon the defendants by the relator is authorized as of that date. If the relator voluntarily dismisses the complaint pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure within this thirty-day period, the relator may seek to modify this Order with the consent of the Government or by motion on notice to the Government.

2. The Notice Of The United States That It Is Not Intervening At This Time ("Notice") shall be served by the relator upon defendants only after service of the complaint.

3. All documents filed in this action prior to the entry of this Order shall remain under seal and not be made public, except for, thirty days after entry of this Order, relator's *qui tam* complaint, this Order, and the Notice.

4. Upon the unsealing of the complaint, the seal shall be lifted as to all other matters occurring in this action subsequent to the entry of this Order.

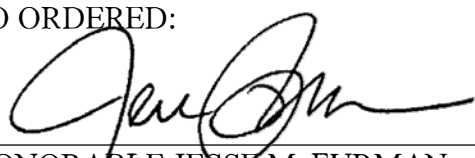
5. The parties shall serve all pleadings, motions, and notices of appeal filed in this action, including supporting memoranda and materials, upon the Government. The Government may order any deposition transcripts. The Government may seek to intervene in this action, for good cause, at any time or to seek dismissal of this action.

6. All orders of this Court shall be sent to the Government by the relator.

7. Should the relator or defendants propose that this action be dismissed, settled, or otherwise discontinued, the party or parties proposing such relief will solicit the written consent of the Government before applying for Court approval.

Dated: New York, New York
December 13, 2019

SO ORDERED:



HONORABLE JESSE M. FURMAN
UNITED STATES DISTRICT JUDGE